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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DAVID AND NATASHA WIT, et al.,  
  
Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH,  
  
Defendant.

GARY ALEXANDER, et al.,  
  
Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH,  
  
Defendant.

Case No. 3:14-CV-02346-JCS  
Related Case No. 3:14-CV-05337-JCS

**JOINT CASE MANAGEMENT  
STATEMENT**

Date: January 20, 2023  
Time: 2:00 p.m.  
Judge: Hon. Joseph C. Spero

1 Pursuant to Civil Local Rule 16-10(d) and the Court's October 17, 2022 Civil Minute  
2 Order (*Wit* ECF No. 591), Plaintiffs and Defendant, by and through their respective counsel,  
3 submit the following Joint Case Management Statement. The parties' last Joint Case Management  
4 Statement was filed October 17, 2022. (ECF No. 590.)

5 **I. Status of Appellate Proceedings**

6 UBH appealed the injunction and final judgment; the appeals were consolidated by the  
7 Court of Appeals on February 12, 2021. Briefing on the appeal was completed on June 2, 2021,  
8 and the Court of Appeals heard oral argument on August 11, 2021. On March 22, 2022, the Court  
9 of Appeals entered a memorandum disposition of the appeal reversing the Judgment. Plaintiffs  
10 filed a Petition for Panel Rehearing and Rehearing En Banc ("Petition for Rehearing") on May 5,  
11 2022. Defendant filed a response to the Petition for Rehearing on June 16, 2022 and Plaintiffs  
12 filed a reply on June 23, 2022. The Petition for Rehearing is currently pending.

13 UBH also appealed the Court's January 5, 2022 Order Granting in Part and Denying in  
14 Part Plaintiffs' Petition for Attorneys' Fees and Costs (ECF No. 569). The Court of Appeals  
15 stayed the briefing schedule on that appeal until resolution of the merits appeal, No. 20-17363.  
16 The parties have agreed that the fee appeal should remain in abeyance pending the resolution of  
17 the Petition for Rehearing.

18 **II. Status of Remedial Proceedings**

19 On March 28, 2022, this Court entered a Stipulation and Order staying the Remedies  
20 Order and further proceedings before the Special Master, including the Special Master's First  
21 Order and the Special Master's Second Order, and any enforcement thereof pending the issuance  
22 of mandate from the Ninth Circuit on the merits appeal.

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1 Respectfully Submitted:

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3 Dated: January 13, 2023

ZUCKERMAN SPAEDER LLP

4 /s/ Caroline E. Reynolds

5 Caroline E. Reynolds  
Adam Abelson

6 PSYCH-APPEAL, INC.  
7 Meiram Bendat

8 *Attorneys for Plaintiffs*

9 Dated: January 13, 2023

CROWELL & MORING LLP

10 /s/ Jennifer S. Romano

11 Jennifer S. Romano  
12 April N. Ross  
Nathaniel P. Bualat  
Andrew Holmer

13 *Attorneys for Defendant United Behavioral Health*

14  
15 **ATTESTATION**

16 Pursuant to Civil Local Rule 5-1(h)(3) regarding signatures, I attest that concurrence in  
17 the filing of this document has been obtained from the other signatories.  
18

19 Dated: January 13, 2023

20 /s/ Caroline E. Reynolds  
21 Caroline E. Reynolds